



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,303	02/16/2001	Peter C. Sercel	ALG06NP	1498

36394 7590 03/01/2004

CHRISTIE, PARKER & HALE, LLP
350 W. COLORADO BLVD.
SUITE 500
PASADENA, CA 91105

EXAMINER

MOONEY, MICHAEL P

ART UNIT	PAPER NUMBER
----------	--------------

2877

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/788,303

Applicant(s)

SERCEL ET AL.

Examiner

Michael P. Mooney

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/25/03, 1/23/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,21-23,25-27,102,103,139 and 140 is/are rejected.
- 7) ☒ Claim(s) 3-6,12-17,24,28-32,72,82-85,107,108,152 and 167-252 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/10/02, 1/23/04</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims pending in the application are 2-6,12-17,21-32,72,82-85,102,103,107,108,139,140,152 and 167-252.

DETAILED ACTION

Applicant's election without traverse of claims 2-6, 12-17, 21-32, 72, 82-85, 102-103, 107-108, 139-140, 152, 167-252 in the response filed 11/25/03 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Claims 2, 21-23, 25-27, 102-103, 139-140 are rejected under 35 U.S.C. 102b as being anticipated by Presby (4932989).

Presby teaches method for cylindrical processing of an optical medium, including the steps of: rotating an optical medium about a longitudinal relative rotation axis thereof relative to a processing tool; and spatially selectively applying the processing tool to a portion of a surface of an optical medium, in operative cooperation with relative rotation of the optical medium and the processing tool, thereby producing spatially selective alterations in the optical medium; wherein the optical medium comprises a silica-based optical fiber including a core and a cladding layer. (Figs. 1, 2; col. 4 lines 25-42)

Thus claim 2 is met.

Presby teaches method for producing a spatially selective alteration on a substantially cylindrical optical medium, the method including the steps of: rotating the optical medium about a longitudinal relative rotation axis thereof relative to a processing tool; and spatially selectively applying the processing tool to a portion of the surface of the optical medium, in operative cooperation with relative rotation of the optical medium

Art Unit: 2877

and the processing tool thereby spatially selectively altering the optical medium to produce the spatially selective alteration thereon;

wherein the optical medium comprises an optical fiber. (Figs. 1, 2; col. 4 lines 25-42).

Thus claim 21 is met.

Presby teaches wherein the optical fiber comprises a silica-based optical fiber. (col. 4 lines 25-42).

Thus claim 22 is met.

Presby teaches wherein the optical fiber includes a core, a cladding layer surrounding the core, and an outer fiber coating surrounding the cladding layer. (col. 4 lines 25-42). Thus claim 23 is met.

Presby teaches further comprising the step of reducing a diameter of the optical fiber by pre-etching the optical fiber before applying the processing tool to the optical fiber. (col. 6 lines 28-38). Thus claim 25 is met.

Presby teaches wherein the optical fiber comprises a single-mode optical fiber. (col. 4 lines 25-42). Thus claim 26 is met.

Presby teaches wherein the optical fiber comprises a multi-mode optical fiber. (col. 4 lines 25-42). Thus claim 27 is met.

Presby teaches wherein the longitudinal relative rotation axis is defined by a rotation guide. wherein the rotation guide includes at least one fiber ferrule. (Figs. 1, 2; col. 4 lines 25-42; col. 2 lines 52-60). Thus claim 102 is met.

Presby teaches wherein the rotation guide includes at least one fiber chuck.

(Figs. 1, 2; col. 4 lines 25-42; col. 2 lines 52-60). Thus claim 103 is met.

Presby teaches an apparatus for producing a spatially selective alteration on a substantially cylindrical optical medium, the apparatus comprising: a processing tool; an optical medium rotator, the rotator being adapted for rotating the optical medium about a longitudinal relative rotation axis thereof relative to the processing tool; and a processing tool positioner, the positioner being adapted for spatially selectively applying the processing tool to a portion of the surface of the optical medium in operative cooperation with relative rotation of the optical medium and the processing tool thereby altering the optical medium to produce the spatially selective alteration thereon; further comprising an optical-medium rotation guide defining the longitudinal relative rotation axis;

wherein the rotation guide includes at least one fiber ferrule. (Figs. 1, 2; col. 4 lines 25-42; col. 2 lines 52-60). Thus claim 139 is met.

Presby teaches wherein the rotation guide includes at least one fiber chuck.

(Figs. 1, 2; col. 4 lines 25-42; col. 2 lines 52-60). Thus claim 140 is met.

Allowable Subject Matter

Claims 3-6, 12-17, 24, 28-32, 72, 82-85, 107-108, 152, 167-252 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in

Art Unit: 2877

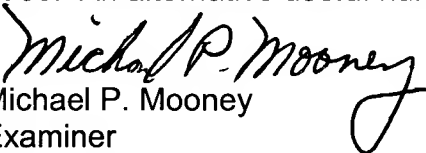
independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Mooney whose telephone number is 703-308-6125. The examiner can normally be reached during weekdays, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 703-308-4881. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956. An alternative useful number for status inquiries is 703-306-3329.


Michael P. Mooney
Examiner
Art Unit 2877


Frank G. Font
Supervisory Patent Examiner
Art Unit 2877

FGF/mpm
2/9/04